

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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SYED N. ALAM, )  
                  )  
                  )  
Plaintiff,     )  
                  )  
                  )  
v.               )  
                  ) Civil Action No. 05-11134-RGS  
MICHAEL CHERTOFF, Secretary,     )  
Department of Homeland Security;    )  
EDUARDO AGUIRRE, JR., Director, US )  
Citizenship and Immigration Services; )  
DENIS RIORDAN, Boston District    )  
Director, US Citizenship and Immigration )  
Services,        )  
                  )  
Defendants.     )

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**MOTION FOR EXTENSION OF TIME  
TO ANSWER AND/OR OTHERWISE RESPOND**

The defendants respectfully requests an extension of time up to, and including, September 30, 2005, to answer or otherwise respond to the plaintiff's Complaint. Counsel for the defendants attempted to conferred with counsel for the plaintiff, but was unable to reach him by phone. The defendants are seeking this extension for two weeks because the defendants believe that they will be able to resolve the dispute without further litigation. Since the last extension, the defendants have made significant progress in completing the adjudication of the plaintiff's application. However, the defendants need a few more weeks to complete the process.

Plaintiff is an individual seeking adjustment of his immigration status with the Bureau of Citizenship and Immigration Services (BCIS). Plaintiff brings this declaratory judgment action

to compel BCIS, through a writ of mandamus, to adjudicate his application for adjustment of status.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: \_\_\_\_\_  
\_\_\_\_\_  
Jeffrey M. Cohen  
Assistant U.S. Attorney  
John Joseph Moakley Federal Courthouse  
One Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: September 16, 2005

**CERTIFICATION UNDER L.R. 7.1**

I, Jeffrey M. Cohen, Assistant United States Attorney, do hereby state that on September 15 and September 16, 2005, I attempted to contact Attorney Mark E. Pelosky by telephone, but was unable to reach him.

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/s/ Jeffrey M. Cohen  
Jeffrey M. Cohen  
Assistant U.S. Attorney